

Motion granted. Trial in this matter is hereby continued. A status conference will be scheduled by the Court to facilitate the appointment of new counsel for Defendant.

/s/ John R. Adams

U.S. District Judge

3/12/2020

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

| | | |
|---------------------------|---|----------------------------------|
| UNITED STATES OF AMERICA, | : | CASE NO.: 1:20CR004 |
| | : | |
| Plaintiff, | : | |
| | : | JUDGE JOHN R. ADAMS |
| -vs- | : | |
| | : | |
| RAFAEL MOORE, | : | <u>MOTION TO WITHDRAW</u> |
| | : | <u>AS COUNSEL</u> |
| Defendant. | : | |
| | : | |

On March 5, 2020, the government filed a joint motion to continue the trial date of March 13, 2020. In this motion, the government detailed the discovery and the dates the discovery had been turned over to the defense. Despite requesting discovery on January 7, 2020, the first disclosure of evidence occurred on February 19, 2020. A couple of days later, the government disclosed approximately 16 hours of body camera footage. Defense counsel received those videos on February 24, 2020 – only two weeks before the final pretrial and 18 days before trial. Then, on March 3, 2020, only ten days before trial, the government disclosed additional evidence, including 1,860 pages of records purporting to be from three cellular telephones. Because of the late disclosure of this voluminous evidence, defense counsel informed the Court he needed more time to review the evidence, discuss the evidence with Mr. Moore, determine if there were any pretrial motions, and conduct any necessary investigation. The government agreed the defense needed more time given the late disclosure and moved to continue. (R. 13). This Court denied the request for a continuance. (R. 14).